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7/19/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 23533/119

In re patent application of

Cesar COMPADRE, *et al.*

Group Art Unit: 1615

Serial No. 09/494,374

Examiner: T. Ware

Filed: January 31, 2000

For: A CONCENTRATED, NON-FOAMING SOLUTION OF QUATERNARY
AMMONIUM COMPOUNDS AND METHODS OF USE

REQUEST FOR RECONSIDERATION UNDER 37 § 1.116

BOX AF

Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the final rejection dated January 30, 2002, and the Advisory Action dated May 31, 2002. Enclosed herewith is a Petition for a two-month extension of time and the requisite fee to extend the response deadline to June 30, 2002, which is a Sunday, making July 1, 2002, the timely response, which is within the six-month statutory period. Should such request or fee be deficient or absent, consider this paragraph such a request and authorization to withdraw the appropriate fee under 37 CFR §§ 1.16 to 1.21 from PTO deposit account No. 19-0741.

REMARKS

As per the Advisory Action dated May 31, 2002, the amendment after final rejection filed on April 30, 2002 was entered by the Examiner. Therefore, claims 31-35 and 37-39 are presently pending in the present application. Applicant respectfully requests the Examiner's reconsideration of his position on these pending claims.

The only rejection that is maintained based on the final rejection is the one based upon the rejection of claims 31-35 and 37-39 as allegedly being obvious over Hall (U.S. 5,405,604) in view of Dickson (U.S. 5,520,575). Applicants maintain their arguments against the combination of Hall and Dickson as presented in the previous response.

In the Advisory Action the Examiner states that he is not persuaded by Applicants' arguments because the claims are not limited to food products and no data providing support for this position has been provided. The Examiner asserts that the flavoring agents would not